

## AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Francis X. Smith

Docket No.  
90337.129301Serial No.  
09/706,338Filing Date  
November 4, 2000Examiner  
R. D. LoveringGroup Art Unit  
1712Invention:  
IMPROVED OPHTHALMIC AND CONTACT LENS SOLUTIONS

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	13 -	39 =	0	x \$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

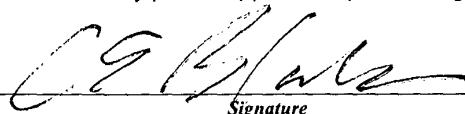
Please charge Deposit Account No. in the amount of  
A duplicate copy of this sheet is enclosed.

A check in the amount of to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 10-0223  
A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.


  
Signature

Christopher E. Blank, Esq.

Reg. No.: 31,237

JAECKLE FLEISCHMANN &amp; MUGEL, LLP

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Suite 200

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CC:

Dated: October 28, 2002

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OFFICE OF PETITIONS

I certify that this document and fee is being deposited on 10/28/2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

William M. Hall

Typed or Printed Name of Person Mailing Correspondence

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): Francis X. Smith

Docket No.

90337.129301

Serial No.  
09/706,338Filing Date  
November 4, 2000Examiner  
R. D. LoveringGroup Art Unit  
1712

Invention:

**IMPROVED OPHTHALMIC AND CONTACT LENS SOLUTIONS**I hereby certify that this Response to Restriction Requirement Electing Claims 13-25 (2 pgs)  
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on October 28, 2002  
(Date)William M. Hall

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Patent  
90337.129301

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant(s):	Francis X. Smith	)	
Serial No.:	09/706,338	)	Examiner:
Filed:	November 4, 2002	)	R D Lovering
For:	IMPROVED OPHTHALMIC AND CONTACT LENS SOLUTIONS	)	Group:
		)	1712
		)	

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner of Patents  
Attention: Office of Petitions  
Box DAC  
Washington, DC 20231

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OFFICE OF PETITIONS

Dear Sir:

In the Office Action dated April 1, 2002, a restriction requirement was issued in the above identified case requiring election between the species of the claimed invention. Responsive thereto, Applicants hereby provisionally elect to prosecute claims 13-25. *elect 13 buffer*

In the event that Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any changes be made to Deposit Account No.: 10-0223.

Should you have any questions regarding the enclosed, please do not hesitate to contact me.

*06/14-35 13/239  
not available on  
elected species*

*Comments @ 13 & 36*

Respectfully submitted,

Dated: 10/28/02

JAECKLE FLEISCHMANN & MUGEL, LLP  
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Christopher E. Blank, Esq.  
Reg. No.: 31,237

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Fax: (585) 262-4133

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